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March 19, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Douglas A. Treco et al. Art Unit: 1636
Serial No.: 09/845,020 Examiner: Nancy T. Vogel
Filed: April 27, 2001 Customer No.: 21559
Title: Genomic Sequences for Protein Production and Delivery

Commissioner for Patents
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REPLY TO OFFICE ACTION

In reply to the Office Action that was mailed in connection with the above-captioned application on September 23, 2003, applicants submit the following Remarks.

REMARKS

Examination of claims 35-50 is reported in the present Office Action, and these claims were rejected under 35 U.S.C. § 112, first paragraph for lack of enablement. This rejection is respectfully traversed.

At the outset, applicants note that the central finding on which the present application is based is the discovery of new and non-obvious sequences upstream of the G-CSF gene. These